REGISTER OF CLASSIFICATION DECISIONS

Title of Publication:	013
Other Known Title:	Not Stated
Format:	Computer Image File
Director/Author:	Not Applicable
Producer/Publisher:	Not Stated
Country of Origin:	Not Stated
Language:	English
Applicant:	Commissioner of Police
Distributor:	Not Applicable
Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
Descriptive Note:	Not Applicable
Display Conditions:	Nil
Date of entry in Register:	27 September 2007
Date of direction to issue a label:	Not Applicable
OFLC No:	702017
Excisions:	Not Applicable

Reasons for excisions:

Not Applicable

Summary of reasons for classification:

The computer image file entitled *013* is classified as:
Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

The publication is a computer image file comprising a close up (head and shoulders) photo of a young man engaged in sexual activity. The image has been considered in terms of s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 as to whether it promotes or supports, or tends to promote or support, the exploitation of children or young persons for sexual purposes. While the man in the image is youthful in appearance he does not present as a young person.

In classifying the publication weighting has been given to the explicit nature of the image, which is designed for the sexual arousal of adults and could either be disturbing to children or young persons, or have a harmful effect upon the forming of their sexual attitudes and behaviour. An age restriction of 18 years will interfere with the freedom of expression as set out in Section 14 of the New Zealand Bill of Rights Act 1990. This limitation is demonstrably justified, however, given the likely injury to the public good from the publication's potential to adversely affect children or young persons.